

KANAB PLANNING COMMISSION MEETING

SEPTEMBER 2, 2014

KANE COUNTY COMMISSION CHAMBERS

PRESENT: Chairman, Teresa Trujillo, Joan Thacher, Byard Kershaw, David Borup, Arlon Chamberlain, Jeff Yates, Staff Member, Levi Roberts of Five County, Kent Burggraaf, representative for the City Council, Gary McBride, Business Land Use Coordinator and Secretary, Jayme Jorgensen.

NOT IN ATTENDANCE: Mike Downward

MEETING STARTED AT 6:34 PM

APPROVAL OF MINUTES: Arlon Chamberlain made a motion to approve the minutes of the August 19, 2014 meeting as corrected and with additional changes attached from Levi Roberts, 2nd by David Borup.

PUBLIC COMMENT PERIOD: None Received.

HEARING ON REVOCATION OF VIRESCO CONDITIONAL USE PERMIT: Today's date September 2, 2014, at 6:45 pm in the Kane County Commission Chambers. Chairman Trujillo called the meeting to order. She stated this meeting is the administrative due process hearing to consider whether the CUP issued to Viresco Energy LLC on November 22, 2010 should be revoked.

1. The conditions for Viresco Energy's CUP were read.
2. The notice from Kanab City to Jim Guthrie advising the administrative due process hearing was read.
3. Chairman Trujillo asked if there was any Legal Representatives present. None received.
4. She asked if any had testimony on behalf of Viresco. None received.
5. She asked if anyone had testimony opposing Viresco Energy's CUP. None received.
6. The Planning Commission openly discussed revoking Viresco Energy's CUP. Viresco Energy's letter to Mayor Houston voluntarily requests that the CUP be terminated. More than 12 months have elapsed since the CUP was issued and no construction activity or improvements have been made.

Chairman Trujillo entertained a motion to revoke the CUP based on the findings. Joan Thacher made that motion to revoke the CUP for Viresco Energy LLC, Jim Guthrie, based on his letter to Mayor Houston on June 1, 2014 withdrawing the CUP. Based on these findings:

1. No construction activity since 2010.
2. And accepting Arlon Chamberlain's friendly amendment.
3. No application for building permit or designs.

Motion 2nd by David Borup, motion passed unanimous by roll call vote. Written findings will be issued within 30 days.

REVIEW OF CHAPTER 8: Levi Roberts said this chapter was mostly informational. He suggested getting input from each department. Chairman Trujillo asked Gary McBride to type up a letter and give to each department head asking for their 5, 10 and 15 year goals, needs, desires and staffing. Their response should be returned before the next Planning and Zoning meeting on September 16, 2014. So the commission can revisit chapter 8. Jeff Yates will get information on the natural gas situation for the next meeting.

STAFF REPORT: None received

COMMISSION MEMBER REPORT: None received

COUNCIL MEMBER LIAISON REPORT: Kent Burggraaf suggested sending chapter 7 to Parks and Recreation to be reviewed and then revisit it.

Chairman Trujillo entertained a motion to adjourn, Jeff Yates made that motion.

Chairman Trujillo

Date